

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-14 are presently pending in this case. Claims 1, 2, and 5-8 are amended by the present amendment. As amended Claims 1, 2, and 5-8 and new Claim 14 are supported by the original disclosure,<sup>1</sup> no new matter is added.

In the outstanding Official Action, Claims 1-3, 5-9, 11, and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Myojo (U.S. Patent Application Publication No. 20030122940) in view of Hisatomi et al. (U.S. Patent Application Publication No. 20020154898, hereinafter “Hisatomi”), Hyodo et al. (U.S. Patent Application Publication No. 20030098915, hereinafter “Hyodo”), and Parulski et al. (U.S. Patent No. 5,440,401, hereinafter “Parulski”); Claims 4 and 10 were rejected under 35 U.S.C. §103(a) as unpatentable over Myojo in view of Hisatomi, Hyodo, and Parulski and further in view of Tamura et al. (U.S. Patent Application Publication No. 20020048455, hereinafter “Tamura”); and Claim 13 was rejected under 35 U.S.C. §103(a) as unpatentable over Myojo in view of Hisatomi, Hyodo, and Parulski and further in view of Cohen et al. (U.S. Patent Application Publication No. 20050240627, hereinafter “Cohen”).

With regard to the rejection of Claims 1 and 5-7 as unpatentable over Myojo in view of Hisatomi, Hyodo, and Parulski, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

small image creation means for creating a small image  
from composite image data;  
image file creation means for creating one image file  
including composite image data and management data  
indicating that the composite image data comprises a plurality  
of images, *the management data being stored in an Exif value  
data area in an Exif IFD data structure*;

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<sup>1</sup>See, e.g., Figure 4 and paragraphs 56-63 of the publication of the specification.

a display control means for controlling display of the composite image data; and  
an extraction means for extracting a specified small image from the composite image data whose display is controlled by the display control means based on the management data.

The outstanding Office Action asserted that the creation of index image data file 502 of Myojo describes “image file creation means” as previously recited in Claim 1.<sup>2</sup> However, it is respectfully submitted that Myojo does not teach or suggest storing data in an Exif value data area in an Exif IFD data structure. Moreover, it is respectfully submitted that Hisatomi, Hyodo, and Parulski do not teach or suggest this feature either. Thus, it is respectfully submitted that the proposed combination does not teach or suggest “image file creation means” as defined in amended Claim 1. Consequently, Claim 1 (and Claims 2-4 dependent therefrom) is patentable over Myojo in view of Hisatomi, Hyodo, and Parulski.

Claims 5 and 6 recite in part “creating one image file including composite image data and management data indicating that the composite image data comprises a plurality of images, *the management data being stored in an Exif value data area in an Exif IFD data structure.*”

As noted above, Myojo does not teach or suggest storing data in an Exif value data area in an Exif IFD data structure. Moreover, it is respectfully submitted that Hisatomi, Hyodo, and Parulski do not teach or suggest this feature either. Consequently, Claims 5 and 6 are also patentable over Myojo in view of Hisatomi, Hyodo, and Parulski.

Amended Claim 7 recites in part “an image file creation unit configured to create one image file including composite image data and management data indicating that the composite image data comprises a plurality of images, *the management data being stored in an Exif value data area in an Exif IFD data structure.*”

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<sup>2</sup>See the outstanding Office Action at page 3.

As noted above, Myojo does not teach or suggest storing data in an Exif value data area in an Exif IFD data structure. Moreover, it is respectfully submitted that Hisatomi, Hyodo, and Parulski do not teach or suggest this feature either. Consequently, Claim 7 (and Claims 8-13 dependent therefrom) is patentable over Myojo in view of Hisatomi, Hyodo, and Parulski.

With regard to the rejection of Claims 4 and 10 as unpatentable over Myojo in view of Hisatomi, Hyodo, and Parulski and further in view of Tamura, it is noted that Claims 4 and 10 are dependent from Claim 1 and 7, respectively, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Tamura does not cure any of the above-noted deficiencies of Myojo, Hisatomi, Hyodo, and Parulski. Accordingly, it is respectfully submitted that Claims 4 and 10 are patentable over Myojo in view of Hisatomi, Hyodo, and Parulski and further in view of Tamura.

With regard to the rejection of Claim 13 as unpatentable over Myojo in view of Hisatomi, Hyodo, and Parulski and further in view of Cohen, it is noted that Claim 13 is dependent from Claim 7, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Cohen does not cure any of the above-noted deficiencies of Myojo, Hisatomi, Hyodo, and Parulski. Accordingly, it is respectfully submitted that Claim 13 is patentable over Myojo in view of Hisatomi, Hyodo, and Parulski and further in view of Cohen.

Finally, new Claim 14 is supported at least by Figure 4 and paragraphs 56-63 of the publication of the specification. As new Claim 14 is dependent from Claim 7, new Claim 14 is allowable for at least the reasons described above with respect to Claim 7. In addition, new Claim 14 recites subject matter that further defines over the cited references. In this regard, as none of the cited references describe storing any data in an Exif value data area in an Exif

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IFD data structure, none of the cited references can describe the subject matter of Claim 14.

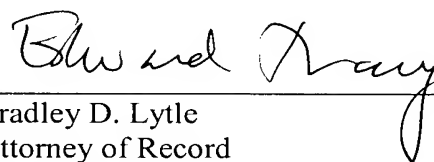
Accordingly, new Claim 14 patently defines over the cited references.

Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Bradley D. Lytle", written over a horizontal line.

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